

### **DETAILED ACTION**

1. This action is in response to applicant's amendment filed on 29 September 2009. **Claims 26, 27, and 65** are now pending in the present application and **claims 1-25, 28-64, and 66** are canceled. The BPAI decision mailed on 20 August 2009 has affirmed prior rejection of claims 24, 28, and 63 in which the limitations of claim 24 are included in the pending claims. This office action is made **Non-Final**.

### ***Claim Objections***

2. **Claim listing** is objected to because of the following informalities:
  - a. Claim listing failed to include claim 66 and the canceled status of claim 66 as indicated in the response filed 04 September 2007. See MPEP § 714 and 37 CFR 1.121(c).

Appropriate correction is required.

3. This list of examples is not intended to be exhaustive. The Examiner respectfully requests the applicant to review all claims and clarify the issues as listed above as well as any other issue(s) that are not listed.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

**Claim 27** is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. **Claim 27** recites the limitation "...section **configured to** transfer..." in line(s) 1 of the claim. The claim language only states that the *apparatus is configured to*, but the **does not positively** indicate that the apparatus performs the function. See MPEP § 2111.04.

Regarding claim 27, the language of the claim(s) raises a question as to the limiting effect of the claim. For example, the claim language does not **positively** convey a *process* or *method* that is performed by an *apparatus* or *machine*. The Examiner recommends that the applicant clarify the claim language as supported by the specification.

5. Due to the 112 rejection of the current claim language, the Examiner has given a reasonable interpretation of said language and the claims are rejected as broadest and best interpreted. In addition, applicant is welcomed to point out where in the specification the Examiner can find support for this language if Applicant believes otherwise.
6. This list of examples is not intended to be exhaustive. The Examiner respectfully requests the applicant to review all claims and clarify the issues as listed above as well as any other issue(s) that are not listed.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claims 26, 27, and 65** are rejected under 35 U.S.C. 102(e) as being anticipated by **Larsson et al.** (hereinafter Larsson) (**US 6,697,638 B1**).

Regarding **claim 26**, Larsson discloses a hand-held portable telephone (100) which reads on the claimed “mobile communication terminal” connectable to a vehicle mounted phone part (160 car kit) which reads on the claimed “a car mounted electronic device” (see Figs. 1-15), the mobile communication terminal (100) comprising:

a cellular transceiver (110) which reads on the claimed “first interface” for making radio communication with a cellular system (152) which reads on the claimed “mobile communication network” (see Fig. 1); and

a low power transceiver (120) which reads on the claimed “second interface” for making radio communication with the car mounted electronic device (160) (see Fig. 1);

a connection control section for controlling connection to the car mounted electronic device (see col. 2, lines 21-23,30-39; col. 3, lines 1-2; col. 5, lines 2-5; Fig. 1);

wherein the connection control section starts a connection procedure with the car mounted electronic device (160) by transmitting a response signal that includes attribute information of the mobile communication terminal (100) to the car mounted electronic

Art Unit: 2617

device (160) when a paging signal transmitted from the car mounted device to determine presence of a mobile communication terminal (100) within a radio area of the car mounted electronic device (160) is detected (see col. 4, lines 1-5; Figs. 1 and 4-7), and

sets communication mode in a hands-free mode automatically if the connection procedure is completed (see col. 5, lines 51-57; col. 6, lines 13-15),

disconnects the connection with the car mounted electronic device (160) (see col. 3, lines 41-43; col. 7, lines 35-41 (5<sup>th</sup> full paragraph); col. 7, 9<sup>th</sup> full par.; col. 8, lines 9-11, 18-20), where the portable telephone (100 handset) is able to disconnect or determines the portable telephone (100) is out of communication range of the car kit which indicates a disconnection as evidenced by the fact that one of ordinary skill in the art would clearly recognize, and

sets the communication mode in its own communication mode (see col. 3, lines 41-43; col. 7, 5<sup>th</sup> full par.; col. 8, lines 9-11; Fig. 3 “ref. 340”), where the portable telephone reverts (or returns) to normal mode (e.g., not in hands-free (HF) mode) as evidenced by the fact that one of ordinary skill in the art would clearly recognize,

if no packet, which is periodically output from the car mounted electronic device (160) for acknowledgement of the connection, is received for a predetermined time period (see col. 3, lines 41-43; col. 7, lines 35-41 (5<sup>th</sup> full par.); col. 7, 9<sup>th</sup> full par.; col. 8, lines 9-11).

Furthermore, the system of Larson is further enhanced to allow for either device such as the portable telephone (100) or car kit (160) to perform master-slave operation (see col. 5, lines 5-8; col. 7, 8<sup>th</sup> full par.), where the portable telephone (100) or car kit (160) can perform operations (e.g., initiating or disconnecting communication) to determine whether normal communication or hands-free (HF) communication is enabled or disabled,

the mobile communication terminal (100) further comprising an information transfer control section for transferring an incoming call to the car mounted electronic device (160) via the second interface when the incoming call is received from the mobile communication network via the first interface (110) (see col. 8, lines 35-39,52-54), where the handset (100) provides a ringing signal to the car kit (160).

Regarding **claim 27**, Larsson discloses a hand-held portable telephone (100) which reads on the claimed “mobile communication terminal” connectable to a vehicle mounted phone part (160 car kit) which reads on the claimed “a car mounted electronic device” (see Figs. 1-15), the mobile communication terminal (100) comprising:

a cellular transceiver (110) which reads on the claimed “first interface” for making radio communication with a cellular system (152) which reads on the claimed “mobile communication network” (see Fig. 1); and

a low power transceiver (120) which reads on the claimed “second interface” for making radio communication with the car mounted electronic device (160) (see Fig. 1);

a connection control section for controlling connection to the car mounted electronic device (see col. 2, lines 21-23,30-39; col. 3, lines 1-2; col. 5, lines 2-5; Fig. 1);

wherein the connection control section starts a connection procedure with the car mounted electronic device (160) by transmitting a response signal that includes attribute information of the mobile communication terminal (100) to the car mounted electronic device (160) when a paging signal transmitted from the car mounted device to determine presence of a mobile communication terminal (100) within a radio area of the car mounted electronic device (160) is detected (see col. 4, lines 1-5; Figs. 1 and 4-7), and

sets communication mode in a hands-free mode automatically if the connection procedure is completed (see col. 5, lines 51-57; col. 6, lines 13-15),

disconnects the connection with the car mounted electronic device (160) (see col. 3, lines 41-43; col. 7, lines 35-41 (5<sup>th</sup> full paragraph); col. 7, 9<sup>th</sup> full par.; col. 8, lines 9-11,18-20), where the portable telephone (100 handset) is able to disconnect or determines the portable telephone (100) is out of communication range of the car kit which indicates a disconnection as evidenced by the fact that one of ordinary skill in the art would clearly recognize, and

sets the communication mode to its own communication mode (see col. 3, lines 41-43; col. 7, 5<sup>th</sup> full par.; col. 8, lines 9-11; Fig. 3 “ref. 340”), where the portable telephone reverts (or returns) to normal mode (e.g., not in hands-free (HF) mode) as evidenced by the fact that one of ordinary skill in the art would clearly recognize,

if no packet, which is periodically output from the car mounted electronic device (160) for acknowledgement of the connection, is received for a predetermined time period (see col. 3, lines 41-43; col. 7, lines 35-41 (5<sup>th</sup> full par.); col. 7, 9<sup>th</sup> full par.; col. 8, lines 9-11).

Furthermore, the system of Larson is further enhanced to allow for either device such as the portable telephone (100) or car kit (160) to perform master-slave operation (see col. 5, lines 5-8; col. 7, 8<sup>th</sup> full par.), where the portable telephone (100) or car kit (160) can perform operations (e.g., initiating or disconnecting communication) to determine whether normal communication or hands-free (HF) communication is enabled or disabled,

the mobile communication terminal (100) further comprising an information transfer control section configured to transfer an outgoing call to the mobile communication network (152) via the first interface (110) when the outgoing call is received from the car mounted

electronic device (160) via the second interface (120) (see col. 8, lines 21-34; Fig. 1), where the car kit initiates a call.

Regarding **claim 65**, Larsson discloses a hand-held portable telephone (100) which reads on the claimed “mobile communication terminal” connectable to a vehicle mounted phone part (160 car kit) which reads on the claimed “a car mounted electronic device” (see Figs. 1-15), the mobile communication terminal (100) comprising:

a cellular transceiver (110) which reads on the claimed “first interface” for making radio communication with a cellular system (152) which reads on the claimed “mobile communication network” (see Fig. 1); and

a low power transceiver (120) which reads on the claimed “second interface” for making radio communication with the car mounted electronic device (160) (see Fig. 1);

a connection control section for controlling connection to the car mounted electronic device (see col. 2, lines 21-23,30-39; col. 3, lines 1-2; col. 5, lines 2-5; Fig. 1);

wherein the connection control section starts a connection procedure with the car mounted electronic device (160) by transmitting a response signal that includes attribute information of the mobile communication terminal (100) to the car mounted electronic device (160) when a paging signal transmitted from the car mounted device to determine presence of a mobile communication terminal (100) within a radio area of the car mounted electronic device (160) is detected (see col. 4, lines 1-5; Figs. 1 and 4-7), and

sets communication mode in a hands-free mode automatically if the connection procedure is completed (see col. 5, lines 51-57; col. 6, lines 13-15),

disconnects the connection with the car mounted electronic device (160) (see col. 3, lines 41-43; col. 7, lines 35-41 (5<sup>th</sup> full paragraph); col. 7, 9<sup>th</sup> full par.; col. 8, lines 9-11,18-20), where the portable telephone (100 handset) is able to disconnect or determines the portable telephone (100) is out of communication range of the car kit which indicates a disconnection as evidenced by the fact that one of ordinary skill in the art would clearly recognize, and

sets the communication mode to its own communication mode (see col. 3, lines 41-43; col. 7, 5<sup>th</sup> full par.; col. 8, lines 9-11; Fig. 3 “ref. 340”), where the portable telephone reverts (or returns) to normal mode (e.g., not in hands-free (HF) mode) as evidenced by the fact that one of ordinary skill in the art would clearly recognize,

if no packet, which is periodically output from the car mounted electronic device (160) for acknowledgement of the connection, is received for a predetermined time period (see col. 3, lines 41-43; col. 7, lines 35-41 (5<sup>th</sup> full par.); col. 7, 9<sup>th</sup> full par.; col. 8, lines 9-11).

Furthermore, the system of Larson is further enhanced to allow for either device such as the portable telephone (100) or car kit (160) to perform master-slave operation (see col. 5, lines 5-8; col. 7, 8<sup>th</sup> full par.), where the portable telephone (100) or car kit (160) can perform operations (e.g., initiating or disconnecting communication) to determine whether normal communication or hands-free (HF) communication is enabled or disabled,

the mobile communication terminal (100) further comprising a timer which is reset in case that the packet from the car mounted electronic device (160) is received, and the connection control section disconnects the connection with the car mounted electronic (160) if the timer exceeds a predetermined value (see col. 3, lines 41-43; col. 7, lines 35-41 (5<sup>th</sup> full paragraph); col. 7, 9<sup>th</sup> full par.; col. 8, lines 9-11,18-20), where the portable telephone (100



handset) is able to disconnect or determines the portable telephone (100) is out of communication range of the car kit which indicates a disconnection as evidenced by the fact that one of ordinary skill in the art would clearly recognize (see col. 3, lines 1-2,16-19; col. 4, lines 1-5; col. 5, lines 13-15; Figs. 1 and 3-11).

### ***Response to Arguments***

8. Applicant's arguments with respect to claims 26-27 and 65 have been considered but are moot in view of the new ground(s) of rejection necessitated by the amended language and/or new limitations.

In response to applicant's arguments, the Examiner respectfully disagrees as the applied reference(s) provide more than adequate support and to further clarify (see the above claims for relevant citations).

9. The Examiner requests applicant to provide support for any further amended claim language.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Muramatsu et al. (US 6,477,391 B1) discloses a mobile telephone holding device.

Art Unit: 2617

- b. Stenman et al. (US 6,223,029 B1) discloses a combined mobile telephone and remote control terminal.
  - c. Jonsson et al. (US 7,164,885 B2) discloses a method and apparatus for selective service access.
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIE J. DANIEL JR whose telephone number is (571)272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/WJD,JR/

WJD,JR  
09 December 2009

/Charles N. Appiah/  
Supervisory Patent Examiner, Art Unit 2617